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July 28, 2004

**SUMMARY OF
EX PARTE PRESENTATION**

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWA325
Washington, DC 20554

Re: Ex Parte Presentation WC Docket No. 03-133

Dear Ms. Dortch:

The attached written *Ex Parte* Presentations concerning the above-referenced proceeding were sent to Federal Communications Commission Chairman Michael K. Powell, Commissioner Kathleen Q. Abernathy, Commissioner Michael J. Copps, Commissioner Kevin J. Martin, Commissioner Jonathan S. Adelstein, Christopher Libertelli, Matthew Brill, Daniel Gonzalez, Jessica Rosenworcel, and Scott Bergmann, by Walter B. McCormick, Jr., President and CEO of the United States Telecom Association. In accordance with FCC Rule 1.1206(b)(1), this Notice of *Ex Parte* Presentation and a copy of the referenced *Ex Parte* Presentations are being filed with you electronically for inclusion in the public record. Should you have any questions, please contact the undersigned at (202) 326-7300.

Respectfully submitted,

By: 
James W. Olson

Attachments



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Walter B. McCormick, Jr.
President and Chief Executive Officer

EX PARTE PRESENTATION

July 28, 2004

The Honorable Michael K. Powell,
Chairman
Federal Communications Commission
445 12th Street, S.W. Room 8 B201
Washington, D.C. 20554

The Honorable Kathleen Q. Abernathy
Commissioner
Federal Communications Commission
445 12th Street, S.W. Room 8 B115
Washington, D.C. 20554

The Honorable Jonathan S. Adelstein
Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

The Honorable Michael J. Copps
Commissioner
Federal Communications Commission
445 12th Street, S.W. Room 8 B115
Washington, D.C. 20554

The Honorable Kevin J. Martin
Commissioner
Federal Communications Commission
445 12th Street, S.W. Room 8 A204
Washington, D.C. 20554

Re: Ex Parte Presentation WC Docket No. 03-133

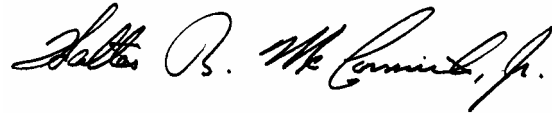
Dear Commissioner:

Last Friday, the United States Telecom Association (USTA) filed a written *Ex Parte* Presentation against AT&T Corporation's Petition for Declaratory Ruling regarding certain prepaid calling card services. Originally, the written *Ex Parte* Presentation was endorsed by 15 USTA member companies. Because of AT&T's unlawful and unconscionable avoidance of paying intrastate access and universal service for certain prepaid calling cards, 163 additional USTA medium, small and rural member companies wish to endorse our written *Ex Parte* Presentation. Thus, USTA wishes to supplement the record and resubmit its written *Ex Parte*

The Honorable Michael K. Powell
The Honorable Kathleen Q. Abernathy
The Honorable Jonathan S. Adelstein
The Honorable Michael J. Copps
The Honorable Kevin J. Martin

Presentation of July 23, 2004, reflecting the endorsement of 178 of its medium, small and rural member companies.

Sincerely,

A handwritten signature in black ink, reading "Walter B. McCormick, Jr." in a cursive script.

Walter B. McCormick, Jr.

Attachment

cc: Christopher Libertelli
Matthew Brill
Jessica Rosenworcel
Daniel Gonzalez
Scott Bergmann



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Washington, D.C. 20554

The Honorable Kevin J. Martin
Commissioner
Federal Communications Commission
445 12th Street, S.W. Room 8 A204
Washington, D.C. 20554

Re: Ex Parte Presentation WC Docket No. 03-133

Dear Commissioner:

The undersigned (USTA small and mid-sized member companies) seek the expeditious resolution of the AT&T Petition in the above referenced docket, which has been pending before the Federal Communications Commission (FCC/Commission) for more than fourteen months. AT&T's Petition asks the FCC to determine that interstate (rather than intrastate) access charges apply to all calls made using its pre-paid calling cards, even when those calls are made from one point in a state to another point in the same state. AT&T also claims that these calls constitute an enhanced or information service (because they contain a brief advertising snippet) and AT&T is therefore exempt from the obligation to contribute to the universal service fund for revenues derived from these calls.

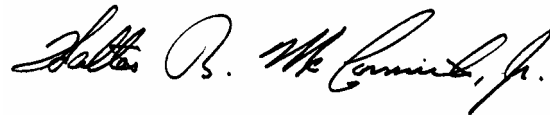
The Honorable Michael K. Powell
The Honorable Kathleen Q. Abernathy
The Honorable Jonathan S. Adelstein
The Honorable Michael J. Copps
The Honorable Kevin J. Martin

This cynical manipulation of the access charge and universal service system is aimed at some of the most vulnerable Americans. AT&T's failure to pay into the universal service system undercuts its sustainability and is detrimental to the interests of low income subscribers, those needing Link Up assistance to obtain telephone service, our nation's school children relying on the schools and libraries fund, and those residing in rural America depending on universal service funding to maintain affordable rates. Furthermore, by improperly avoiding intrastate access charges, AT&T deprives small and mid-sized rural telephone companies of a valuable revenue source that is a key component of state rate structures keeping local telephone rates affordable.

Lack of immediate action by the FCC to disallow this egregious maneuver by AT&T will encourage others to imitate and expand upon AT&T's actions, quickly bringing down the universal service and access charge regimes upon which small and rural companies rely to continue to provide quality service at reasonable rates to rural Americans.

USTA small and mid-sized member companies, predominantly serving rural areas, ask the FCC to act quickly to reaffirm that the calling card calls referenced in the AT&T Petition provide telecommunications services for which AT&T must make universal service fund contributions, and that when such calls connect parties within a single state, AT&T is required to pay intrastate access charges.

Sincerely,

A handwritten signature in black ink, reading "Walter B. McCormick, Jr." in a cursive script.

Walter B. McCormick, Jr.

See attached list of USTA member companies

3-Rivers Telephone Coop. Inc.
Fairfield, MT

ACI
Joshua, TX

Albany Mutual Telephone Assn.
Albany, MN

All West Communications
Kamas, UT

ALLTEL
Little Rock, AR

ATC Communications
Albion, ID

Beggs Telephone Co.
Beggs, OK

Bentleyville Telephone Co.
Bentleyville, PA

Berkshire Telephone Corporation
Kinderhook, NY

Big Bend Telephone Co., Inc.
Alpine, TX

Blue Earth Valley Communications
Blue Earth, MN

Brazoria Telephone Co.
Brazoria, TX

Cameron Communications Corporation
Sulphur, LA

Carnegie Telephone Co., Inc.
Carnegie, OK

Carr Telephone Co.
Branch, MI

Casey Mutual Telephone Co.
Casey, IA

CC Communications
Fallon, NV

Center Junction Telephone Co., Inc.
Center Junction, IA

Central Montana Communications, Inc.
Havre, MT

Central Oklahoma Telephone
Davenport, OK

CenturyTel, Inc.
Monroe, LA

Champaign Telephone Co.
Urbana, OH

Cherokee Telephone Co.
Calera, OK

Chester Telephone Co.
Chester, SC

Cimarron Telephone Co.
Mannford, OK

Citizens Communications
Rochester, NY

Citizens Telephone Company of Kecksburg
Mammoth, PA

Clear Lake Independent Telephone Company
Clear Lake, IA

Clear Lake Telephone Co.
Clear Lake, WI

Colton Telephone Co.
Colton, OR

Commonwealth Telephone Enterprises, Inc.
Dallas, PA

Comporium
Rock Hill, SC

Connections, ETC
Big Lake, MN

Consolidated Communications
Mattoon, IL

Consolidated Telephone Co.
Brainerd, MN

Craigville Telephone Corporation
Craigville, IN

Cross Telephone Co.
Warner, OK

CT Communications, Inc.
Concord, NC

Cumby Telephone Coop.
Cumby, TX

Cunningham Telephone & Cable Company
Glen Elder, KS

Darien Telephone Co., Inc.
Darien, GA

Doylestown Telephone Co.
Doylestown, OH

Dubois Telephone Exchange
Dubois, WY

Duo County Telephone Coop. Corp.
Jamestown, KY

Easton Telephone Co.
Blue Earth, MN

Eckles Telephone
Blue Earth, MN

Empire Telephone Corporation
Prattsburgh, NY

Epic Touch Co.
Elkhart, KS

FairPoint Communications, Inc.
Charlotte, NC

Farmers Cooperative Telephone Co.
Dysart, IA

Farmers Mutual Telephone Co.
Okolona, OH

Fidelity Telephone Co.
Sullivan, MO

Fishers Island Telephone Corp
Fishers Island, NY

Granby Telephone & Telegraph Co., Inc.
Granby, MA

Grand Telephone Co. Inc
Jay, OK

Granite State Telephone Inc
Weare, NH

Gridley Telephone Co.
Gridley, IL

Guadalupe Valley Telephone Cooperative, Inc.
New Braunfels, TX

Hamilton Telecommunications
Aurora, NE

Heartland Telecommunications Co of Iowa
Homestead, IA

HickoryTech Corporation
Mankato, MN

Hinton Telephone Co.
Hinton, OK

Home Telephone Co.
Saint Jacob, IL

Home Telephone Co. Inc
Moncks Corner, SC

Hood Canal Telephone Co
Union, WA

Horizon Chillicothe Telephone
Chillicothe, OH

Hospers Telephone Co. Inc.
Hospers, IA

Humboldt Telephone Co.
San Francisco, CA

Hutchinson Telephone Co.
Hutchinson, MN

Industry Telephone Co.
Industry, TX

InterBel Telephone Coop., Inc.
Eureka, MT

Iowa Telecom
Newton, IA

Jefferson Telephone Co.
Jefferson, IA

Kalama Telephone Co.
Kalama, WA

Kalona Coop. Telephone Co.
Kalona, IA

Kaplan Telephone Co.
Kaplan, LA

Kerman Telephone Co.
Kerman, CA

Keystone Arthur Telephone Co
Ogallala, NE

Kinsman Mutual Telephone
Kinsman, IL

Lakedale Communications
Annandale, MN

LEXCOM Telephone Company
Lexington, NC

Lincolnvile Telephone Co
Lincolnvile Center, ME

Lockhart Telephone Co.
Lockhart, SC

Madison River Communications-LTD
Mebane, NC

Mankato Citizens Telephone Co
Mankato, MN

Margaretville Telephone Co
Margaretville, NY

Marseilles Telephone Co.
Metamora, IL

McDonald County Telephone Co
Pineville, MO

Metamora Telephone Co.
Metamora, IL

MGW Telephone Co.
Williamsville, VA

Mid-Communications Inc
Mankato, MN

Minnesota Lake Telephone Co
Blue Earth, MN

Moapa Valley Telephone Co.
Overton, NV

Monon Telephone Co.
Monon, IN

Monroe Telephone Company
Monroe, OR

Montezuma Mutual Telephone Co
Montezuma, IA

Montrose Mutual Telephone Co.
Dieterich, IL

Moultrie Independent Tel Co
Lovington, IL

Mount Angel Telephone Co.
Mount Angel, OR

Mount Horeb Telephone Co.
Mount Horeb, WI

Nemont Telephone Coop Inc
Scobey, MT

New Ulm Telecom Inc
New Ulm, MN

Newport Telephone Co.
Newport, NY

Nortex Communications
Muenster, TX

North Penn Telephone Co.
Prattsburgh, NY

North Pittsburgh Telephone Co
Gibsonia, PA

North State Communications
High Point, NC

Northern Arkansas Telephone Co.
Chattaroy, WA

Northern Telephone Co.
Wawina, MN

Ogden Telephone Company
Ogden, IA

Olin Telephone Co Inc
Olin, IA

Oneida County Rural Tel. Co.
Holland Patent, NY

Onslow Coop Telephone Assn
Onslow, IA

Oregon Farmers Mutual Tel. Co.
Oregon, MO

Oregon-Idaho Utilities Inc.
San Francisco, CA

Palmetto Rural Telephone Coop. Inc.
Walterboro, SC

Park Region Mutual Telephone Co.
Underwood, MN

Pattersonville Telephone Co.
Rotterdam Junction, NY

Paul Bunyan Telephone Cooperative
Bemidji, MN

Peace Valley Telephone
Peace Valley, MO

Pennsylvania Telephone Co
Jersey Shore, PA

Piedmont Rural Tel Coop. Inc.
Laurens, SC

Pine Belt Telephone Co. Inc.
Arlington, AL

Pine Tree Telephone & Telegraph
Bar Mills, ME

Pinnacles Telephone Co.
Paicines, CA

Pioneer Communications
Ulysses, KS

Ponderosa Telephone Co.
O'Neals, CA

Pottawatomie Telephone Co.
Earlsboro, OK

Preston Telephone Co.
Preston, IA

Price County Telephone Co.
Phillips, WI

Range Telephone Coop Inc
Forsyth, MT

Ridgeway Telephone Co.
Ridgeway, SC

Rochester Telephone Co.
Rochester, IN

Saco River Telephone & Telegraph
Bar Mills, ME

Sandwich Isles Communications
Honolulu, HI

Scranton Telephone Co.
Scranton, IA

Shell Rock Telephone Co.
Shell Rock, IA

Shenandoah Telecommunications
Edinburg, VA

Sherwood Mutual Tel. Assn., Inc.
Sherwood, OH

Silver Star Communications
Freedom, WY

Smithville Telephone Company, Inc.
Ellettsville, IN

South Canaan Telephone Co.
South Canaan, PA

Southern Montana Telephone Company
Wisdom, MT

Southwest Arkansas Telephone Coop.
Texarkana, AR

Southwest Texas Telephone Co
Rocksprings, TX

Spring Grove Cooperative Tel. Co.
Spring Grove, MN

SureWest Communications
Roseville, CA

Sycamore Telephone Co.
Sycamore, OH

TDS Telecom
Madison, WI

Telephone Service Co.
Wapakoneta, OH

Tenino Telephone Co.
Tenino, WA

The Middleburgh Telephone Co.
Middleburgh, NY

The North-Eastern Pennsylvania Telephone Co.
Forest City, PA

The Nova Telephone Co.
Nova, OH

The Rainier Group
Eatonville, WA

Tidewater Telecom
Nobleboro, ME

Triangle Telephone Cooperative Association, Inc.
Havre, MT

Tularosa Basin Telephone Co.
Tularosa, NM

Twin Valley Telephone
Miltonvale, KS

United Utilities, Inc.
Anchorage, AK

UniTel, Inc.
Unity, ME

Valley Telecommunications, Inc.
Scobey, MT

Valley Telephone Co.
Underwood, MN

Valor Telecom
Irving, TX

Van Horne Co-op Telephone Co.
Van Horne, IA

Ventura Telephone Co., Inc
Clear Lake, IA

Volcano Telephone Co.
Pine Grove, CA

Waitsfield-Fayston Telephone Co., Inc.
Waitsfield, VT

Waldron Telephone Co.
Waldron, MI

War Telephone Co.
War, WV

West Carolina Rural Tel Coop Inc
Abbeville, SC

WesTel Systems
Remsen, IA

Western New Mexico Telephone Co., Inc.
Silver City, NM

Westphalia Telephone Co.
Westphalia, MI

Wilderness Valley
Wawina, MN

Wilkes Telephone & Electric Co.
Washington, GA

Willard Telephone Co.
Merino, CO

Yukon-Waltz Telephone Co.
Yukon, PA